

## **EXHIBIT 8**

**From:** Friedemann, Lora  
**To:** [Allen Hinderaker](#)  
**Cc:** [Michael Erbele](#)  
**Subject:** RE: FICO Damages Claims  
**Date:** Wednesday, April 26, 2017 12:05:59 PM

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Al,

We understand that FICO is seeking those damages and agree that it is not necessary to amend the complaint.

Lora

From: Allen Hinderaker [<mailto:AHinderaker@merchantgould.com>]  
Sent: Wednesday, April 26, 2017 10:51 AM  
To: Friedemann, Lora  
Cc: Michael Erbele  
Subject: FICO Damages Claims

In preparing for today's settlement discussion I noticed that while the prayer for relief in the Amended Complaint seeks recovery of "actual damages and all profits derived by Federal as a result of copyright infringement" under Section 504, and our Initial Disclosures were similarly explicit in disclosing that FICO seeks to recover "its actual damages and all profits derived by Federal as a result of its copyright infringement" under Section 504, our pleading of Counts II and III of the Amended Complaint are not as clear regarding disgorgement of profits.

We agreed that rather than presenting the Court with a motion for an amendment of the Amended Complaint to remove any ambiguity, it was sufficient for us, on behalf of our clients, to acknowledge that FICO's theory of damages for copyright infringement includes recovery of its actual damages and all profits derived by Federal as a result of copyright infringement, or statutory damages at FICO elects under 17 U.S.C. 504.

Please acknowledge this conforms with your understanding of FICO's damages claims. Thank you for your courtesies in this regard.

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